AMENDMENTS TO THE DRAWINGS:

Please replace Figure 1 with the substitute drawing sheet attached thereto. Figure 1 has been amended to improve the legends.

REMARKS

The Examiner is thanked for the due consideration given the application. A replacement Figure 1, having improved legends, is being submitted with this paper.

Claims 1-23 are pending in the application. Acknowledgement of the allowability of claims 9 and 20 is noted with appreciation. Claim 20 has been amended to improve the language in what is believed to be a non-narrowing fashion.

No new matter is believed to be added to the application by this amendment.

Rejections Based on KATO

Claims 1, 2, 4-7, 10, 12, 13, 15-18, 21 and 23 have been rejected under 35 USC §102(b) as being anticipated by KATO (EP 1 089 571 A2). Claims 3, 11, 14 and 22 have been rejected under 35 USC §103(a) as being unpatentable over KATO in view of ITO (U.S. Patent 6,532,333). Claims 8 and 19 have been rejected under 35 USC §103(a) as being unpatentable over KATO in view of LIN et al. (U.S. Patent 6,707,778). These rejections are respectfully traversed.

The present invention pertains to an apparatus for editing video/audio data in which image and sound data are multiplexed. The apparatus of the present invention is diagrammed, by way of Example, in Figure 1 of the application, which is reproduced below.

FIG. 1

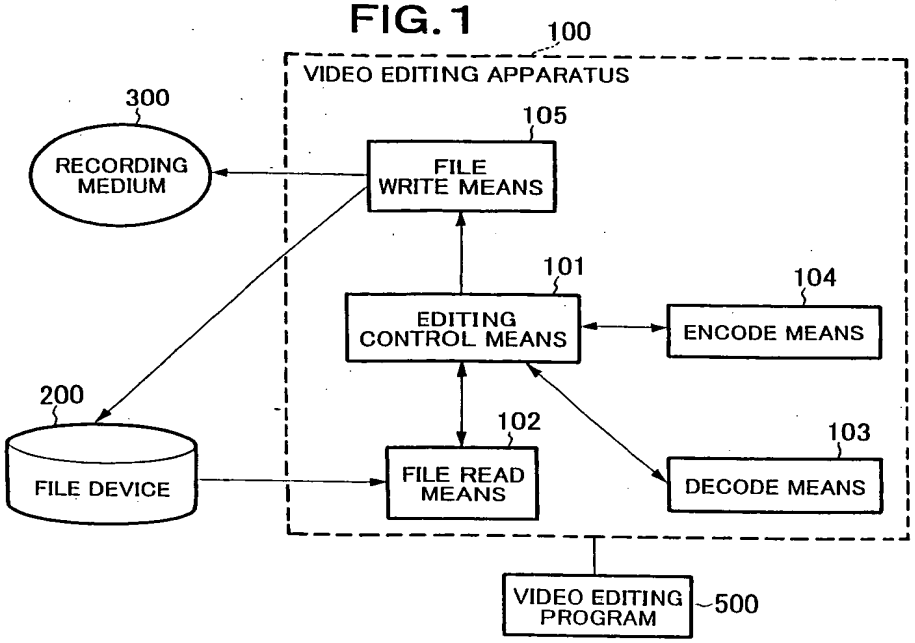
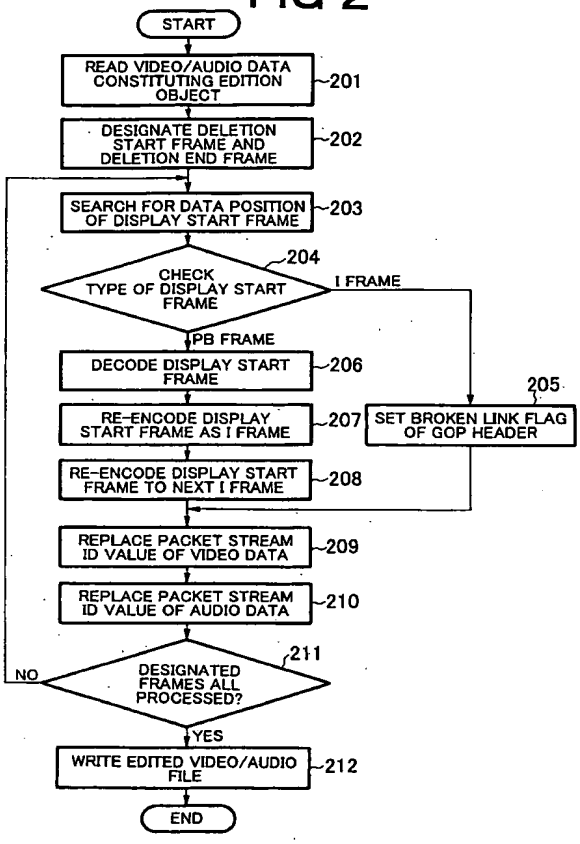


Figure 1 shows a video editing apparatus 100 that includes editing control means 101, file read means 102, decode means 103, encode means 104 and file write means 105. The operating parameters of the apparatus are shown in Figure 2, which is reproduced below.

FIG 2



In Figure 2, step 202 designates selection of a deletion start frame and a deletion end frame. Subsequent steps depend upon the addresses defined by the deletion start frame and the deletion end frame.

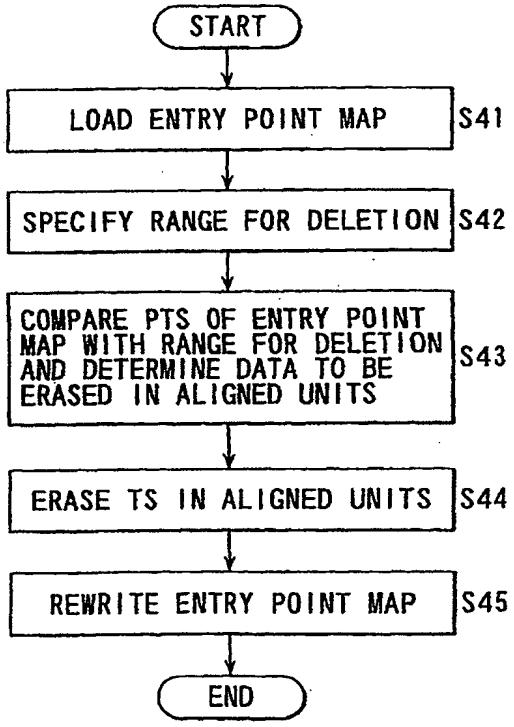
In claims 1 and 12 of the present invention, a header of video data in the designated range is rewritten to constitute nullified data, and a header of audio data including the same synchronous reproduction time in the designated range is rewritten to constitute nullified data. That is, the deletion of the video and audio data in the designated range is performed by

rewriting its header and constituting nullified data while synchronizing both the video and audio data.

Independent claim 1 of the present invention recites: "means for designating a range of the video/audio data to be an editing object by using a deletion start frame and deletion end frame thereof." Independent claim 12 of the present invention similarly recites "a deletion start frame and deletion end frame thereof."

KATO pertains to a transport stream recording device. The Official Action refers to step S42 (Specify Range For Deletion) in Figure 16 of KATO, which is reproduced below.

FIG. 16



The Official Action also refers to paragraph 0091 of KATO, which states: "In step S42, the user inputs the amount of program deletion (expressed by ***utilizing the elapsed time from the beginning of the program***) to the controller 49." (Emphasis added).

In contrast, in claims 1 and 12 of the present invention, a header of video data in the designated range is rewritten to constitute nullified data, and a header of audio data including the same synchronous reproduction time in the designated range is rewritten to constitute nullified data. That is, the deletion of the video and audio data in the designated range is performed by rewriting its header and constituting nullified data while synchronizing both the video and audio data.

On the other hand, the object of KATO, shown in paragraph 0008 is to efficiently record or reproduce transport streams by attaching four byte transport extra headers (TP_extra_header) to each transport packet to generate a source packet and establish a new data unit constituted by an aligned unit equivalent to a three sector portion of data (32 source packets) in a recording medium. That is, the aligned unit is used for aligning data length to a fixed length suitable for recording of the recording medium and therefore, the deletion of data shown in Figure 16 of KATO is performed with respect to each aligned unit.

In summary, KATO fails to disclose or suggest editing the video/audio data by rewriting the header, as defined in claims 1 and 12 of the present invention.

That is, there is no teaching or inference in KATO of utilizing a deletion start frame and a deletion end frame, such as is set forth in independent claims 1 and 12 of the present invention. Instead, KATO uses a fundamentally different approach by measuring elapsed time, not by determining frames.

KATO thus clearly fails to disclose or infer each and every element of independent claims 1 and 12 of the present invention, and thus fails to anticipate claims 1 and 12. The teachings of ITO or LIN et al., being applied to claims depending upon claim 1 or 12, fail to address the above-described deficiencies, and a *prima facie* case of unpatentability has thus not been made. Claims depending upon claim 1 or 12 are believed to be patentable for at least the above reasons.

These rejections are believed to be overcome, and withdrawal thereof is respectfully requested.

Conclusion

The Examiner is thanked for considering the Information Disclosure Statement filed November 7, 2003 and for making an initialed PTO-1449 Form of record in the application.

Prior art of record but not utilized is believed to be non-pertinent to the instant claims.

The objections and rejections are believed to have been overcome, obviated or rendered moot, and that no issues remain. The Examiner is accordingly respectfully requested to place the application in condition for allowance and to issue a Notice of Allowability.

The Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 25-0120 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17.

Respectfully submitted,

YOUNG & THOMPSON

Robert E. Goozner, Reg. No. 42,593
745 South 23rd Street
Arlington, VA 22202
Telephone (703) 521-2297
Telefax (703) 685-0573
(703) 979-4709

REG/lrs

APPENDIX:

The Appendix includes the following item:

- replacement sheet for Figure 1